

BEFORE THE SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT

IN RE: LINDA OAKLEY BOWLIN

ARKANSAS BAR ID #84170

CPC Docket No. 2001-030

**FINDINGS AND CONSENT ORDER OF DISCIPLINE**

The formal charges of misconduct upon which this Order is premised arose from information coming to the attention of the Committee by way of Linda Bowlin's testimony in the case of U.S. v. George Nicholas "Nick" Wilson, et al, in the United States District Court for the Eastern District of Arkansas. Ms. Bowlin's testimony was given on August 30, 2000. Ms. Bowlin testified that during the Fall of 1993 she became a full time employee of Murrey Grider. Her employment was such that she was to exclusively represent Mr. Grider and his contract for child support enforcement cases in eastern Arkansas. Mr. Grider paid Ms. Bowlin her salary. Shortly after beginning the employment with Mr. Grider, Ms. Bowlin's compensation arrangement was changed. She received a monthly check for \$11,250 and immediately paid \$5000 of that total to Nick Wilson, each month. Ms. Bowlin received her instructions about the payment of the \$5000 directly from Nick Wilson. Ms. Bowlin continued this payment activity for six (6) months. The activity engaged in by Ms. Bowlin was part of the Indictment for mail fraud against Nick Wilson and Murrey Grider in the above mentioned federal criminal case.

Ms. Bowlin does not dispute the factual allegations as contained in the formal disciplinary complaint and which are set out in the preceding paragraph. She explained that she first met with Mr. Wilson after returning to Arkansas from Florida. She met with Mr. Wilson and his secretary in his office in Pocahontas. During the meeting, she was informed of the State contracts for child support enforcement. Ms. Bowlin was offered an attorney position and she accepted. After becoming a full-time employee, Ms. Bowlin was the only attorney working at the West Memphis Office and she also handled part of the legal work for the Third Judicial District which had been operated out of Mr. Wilson's office for many years. Whenever Ms. Bowlin had questions or issues related to legal matters within her employment for the enforcement of child support, she would consult with Mr. Grider or Mr. Wilson. Ms. Bowlin was never involved in the contract process with Child Support Enforcement.

During 1995, Ms. Bowlin was informed by Mr. Wilson that there was to be a change in how she was compensated. She was going to receive an additional \$5000 in each paycheck which she was to immediately write over to him. Even though this arrangement did not pass the "smell test" according to Ms. Bowlin, she went ahead and paid this amount to Mr. Wilson because he was a powerful senior ranking Senator. After a few months, Ms. Bowlin became quite concerned and quit paying Mr. Wilson. She ultimately resigned her position as well.

Following Ms. Bowlin's receipt of the formal complaint, the respondent attorney and the Executive Director undertook discussions which have resulted in an agreement to discipline by consent pursuant to Section 8C, Procedures of the Arkansas Supreme Court Regulating Professional Conduct of Attorneys at Law (Procedures). Upon consideration of the formal complaint, admissions herein, the terms of the proposed consent to discipline hereinafter stated, the Alternate Committee on Professional Conduct's approval thereof, and the Arkansas Model Rules of Professional Conduct, the Committee on Professional Conduct finds:

1. That Ms. Bowlin's conduct violated Model Rule 1.5(e) when from July 1995 to December 1995, she split fees earned from her client, OCSE, with George "Nick" Wilson, when Mr. Wilson did no work on the account nor was there any written agreement between the client and Mr. Wilson acknowledging that he was accepting responsibility for the work. Model Rule 1.5(e) requires that a division of fee between lawyers who are not in the same firm may be made only if: (1) the division is in proportion to the services performed by each lawyer or, by written agreement with the client, each lawyer assumes joint responsibility for the representation.

WHEREFORE, in accordance with the consent to discipline presented by Ms. Bowlin and the Executive Director, Stark Ligon, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct that LINDA OAKLEY BOWLIN, Arkansas Bar ID #84170, be, and hereby is, REPRIMANDED for her conduct in this matter.

ARKANSAS SUPREME COURT COMMITTEE

ON PROFESSIONAL CONDUCT

By:

Bart Virden

Chairman

Date: